

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
June 2, 2009**

1. The Zoning Commission of the City of San Antonio met in the 1st Floor, Board Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.

1:00 PM – Public Hearing

2. Roll Call.

PRESENT: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray
ABSENT: Gadberry, Myers, R. Valadez

3. Approval of May 19, 2009 Zoning Commission Minutes.

Vice Chair Wright stated the following Zoning Cases will not be heard, Z2009076 ERZD has been postponed as per the applicant and Z2009061 has been withdrawn as per the applicant's request.

COMBINED HEARING:

Commissioner Westheimer made a motion to approve the following rezoning cases with conditions and amendments as staff has recommended. Additionally, no citizens have signed to speak in opposition on the said cases: items 17, 18, 19 and 20. The motion was seconded by Commissioner Gray.

4. ZONING CASE NUMBER Z2009104 CD (Council District 8): A request for a change in zoning from "C-2" Commercial District to "C-2 CD" Commercial District with a Conditional Use for a Funeral Home or Undertaking Parlor on Lot 1 and Lot 2, Block 11, NCB 17941(CB 4017), 8910 and 9060 Bandera Road. Staff recommends approval.

Staff stated there were 34 notices mailed out to the surrounding property owners, 7 returned in opposition and 3 returned in favor and French Creek Village Homeowner's Association is in favor. Staff mailed 12 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Gray to recommend approval.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray
NAY: None

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2009105 (Council District 5): A request for a change in zoning from "R-4" Residential Single-Family District to "C-2NA" Commercial Nonalcoholic Sales District on Lot 22, Block 3, NCB 2210, 811 Perez. Staff recommends approval.

Staff stated there were 41 notices mailed out to the surrounding property owners, 1 returned in opposition and 2 returned in favor and no response from Gardendale Neighborhood Association.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Gray to recommend approval.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray

NAY: None

THE MOTION CARRIED

6. ZONING CASE NUMBER Z2009106 S (Council District 3): A request for a change in zoning from "H C-1 RIO-6" Light Commercial Mission Historic River Improvement Overlay District-6 to "H C-3NA S RIO-6" General Commercial Mission Historic River Improvement Overlay District-6, Non-Alcoholic Sales with a Specific Use Authorization for a Human Services Campus on Lots 3, 4 and 5, Block 1, NCB 11175, 8706 and 8708 Mission Road. Staff recommends approval.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Gray to recommend approval.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray

NAY: None

THE MOTION CARRIED

7. ZONING CASE NUMBER Z2009107 (Council District 3): A request for a change in zoning from "H I-1" General Industrial Historic District to "H C-2NA" Commercial Nonalcoholic Sales Historic District on 5.159 acres out of NCB 7665, 952 and 974 East Southcross Boulevard. Staff recommends approval.

Staff stated there were 30 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and Mission San Jose Neighborhood Appearance and Safety Committee is in favor. Staff mailed 16 notices to the planning team.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Gray to recommend approval.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray

NAY: None

THE MOTION CARRIED

INDIVIDUAL CONSIDERATION:

8. **ZONING CASE NUMBER Z2008256 ERZD (Council District 8):** A request for a change in zoning from "C-2" Commercial District, "C-2 ERZD" Commercial Edwards Recharge Zone District, "C-3" General Commercial District, "C-3 ERZD" General Commercial Edwards Recharge Zone District and "I-1" General Industrial District to "C-3NA" General Commercial District, Nonalcoholic Sales and "C-3NA ERZD" General Commercial Edwards Recharge Zone District, Nonalcoholic Sales on Lot 1, Block 2, NCB 17402, 5003, 5019, 5039, 5119, and 5131 Beckwith Boulevard. Staff recommends approval.

Andy Guerrero, representative, stated he would like to request a two-week continuance. He stated they are working with SAWS staff in providing additional information on the actual acreage that is over the recharge zone on this particular zoning case.

Staff stated there were 40 notices mailed out to the surrounding property owners, 0 returned in opposition and 8 returned in favor and Woodland Park Homeowner's Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Martinez to recommend a continuance until June 16, 2009.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray

NAY: None

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2008180 (Council District 8): A request for a change in zoning from "C-2 MLOD-1" Commercial, Camp Bullis Military Lighting Overlay District and "C-2 GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay, Camp Bullis Military Lighting Overlay District and "C-3 MLOD-1" General Commercial Camp Bullis Military Lighting Overlay District and "C-3 GC-1 MLOD-1" General Commercial Hill Country Gateway Corridor Overlay, Camp Bullis Military Lighting Overlay District to "MPCD MLOD-1" Master Planned Community District, Camp Bullis Military Lighting Overlay District, "MPCD GC-1 MLOD-1" Master Planned Community District Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District on 89.367 acres out of Lot 5, Block 1, NCB 14858, 15000 Block of Interstate Highway 10, 5000 Block of Loop 1604 West, 5400 Block of Presidio Parkway and 15700 Block of Vance Jackson Road. Staff recommends approval.

Rob Killen, representative, stated he would like to request a two-week continuance to address outstanding concerns.

Staff stated there were 8 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Martinez to recommend a continuance until June 16, 2009.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray

NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2009081 CD (Council District 4 and 5): A request for a change in zoning from "R-4" Residential Single-Family District, "R-6" Residential Single-Family District, "MH" Manufactured Housing District, "O-2" Office District, "C-2" Commercial District, "C-3NA" General Commercial Nonalcoholic Sales District, "C-3R" General Commercial Restrictive Alcoholic Sales District, "C-3" General Commercial District, "I-1" General Industrial District, "I-2" Heavy Industrial District, and "I-2 S" Heavy Industrial District with a Specific Use Authorization for a Bulk Plant and Terminal to "R-4" Residential Single-Family District, "R-6" Residential Single-Family District, "RM-4" Residential Mixed District, "RM-6" Residential Mixed District, "O-1" Office District, "NC" Neighborhood Commercial District, "NC CD" Neighborhood Commercial District with a Conditional Use for a Noncommercial Parking Lot, "C-1" Light Commercial District, "C-2P" Pedestrian Commercial District, "C-2" Commercial District, and "L" Light Industrial District on multiple properties located along Nogalitos Street, South Zarzamora, Somerset Road, New Laredo Highway and Southcross Boulevard. Staff recommends approval.

Micah Diaz, Case Manager, presented item.

The following citizen(s) appeared to speak:

Michael Hoyle, property owner of 2114 W. Southcross, requested an "S" Specific Use to allow his existing carwash facility.

Melecio Hinojosa, property owner of 1502 W. Southcross, requested he maintain his current "C-2" zoning designation to allow for his motorcycle retail parts store.

Gary Hack, property owner of 609 Somerset, stated he would like to maintain his current "I-2" zoning designation to maintain their existing salvage facility.

Jesus Orozco, property owner of 123 Fay, stated he would like to maintain his current "I-2" zoning designation to allow for a tow yard service or welding shop.

Garrett Nikolaus, stated he supports Mr. Gary Hack's request of "I-2" use.

Daniel Garza, property owner of 1542 W. Harlan, stated he would like to maintain his current "C-3" zoning designation to allow for an auto repair/auto sales facility.

Staff stated there were 580 notices mailed out to the surrounding property owners, 4 returned in opposition and 1 returned in favor and no response from Palm Heights, Quintana Community and Tierra Linda Neighborhood Associations. Staff mailed 47 notices to Kelly/South San Pueblo Community Plan and 33 notices to Nogalitos/South Zarzamora Community Plan Planning Teams.

COMMISSION ACTION

The motion was made by Commissioner J. Valadez and seconded by Commissioner Martinez to recommend approval of staff recommendation save and except the following:

- Amend the proposed zoning of 2250 W. Southcross to "C-2" Commercial District.
- Omit 1502 W. Southcross from the proposed zoning request.
- Amend the proposed zoning of 2114 W. Southcross to "C-2 S" Commercial District with a Specific Use for a carwash.

Commissioner Westheimer stated the car wash facility (2114 W. Southcross) is currently nonconforming and would remain nonconforming under staff's proposal therefore the amendment should not be made concerning said property.

Commissioner J. Valadez rescinded the motion to amend 2114 W. Southcross.

Commissioner J. Valadez made a motion and was seconded by Commissioner Martinez to recommend approval save and except the following

- Amend the proposed zoning of 2250 W. Southcross to "C-2" Commercial District.
- Omit 1502 W. Southcross from the proposed zoning request.

Commissioner Hawkins offered a friendly amendment to include a recommendation that staff work with the property owners in attendance prior to City Council.

Commissioner J. Valadez accepted the friendly amendment.

Commissioner Martinez clarified that Commissioner Hawkins' amendment was to have staff work with the property owners in attendance to find a possible solution to their concerns prior to City Council.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray

NAY: None

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2009088 (Council District 8): A request for a change in zoning from "R-6 MLOD-1" Residential Single-Family Camp Bullis Military Lighting Overlay District and "R-6 GC-1 MLOD-1" Residential Single-Family Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District to "C-3 MLOD-1" General Commercial Camp Bullis Military Lighting Overlay District and "C-3 GC-1 MLOD-1" General Commercial Hill Country Gateway Corridor Camp Bullis Military Lighting Overlay District on 3.584 acres out of NCB 34761, 0.29 of an acre out of NCB 34780 and 0.104 of an acre out of CB 4761, 6194 Old Camp Bullis Road. Staff recommends denial of "C-3" with an alternate recommendation of "C-2".

Rob Killen, representative, stated he would like to request a two-week continuance to continue working on site plan issues.

The following citizen(s) appeared to speak:

Ken Brown, supports the request for a continuance.

Staff stated there were 11 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Gray seconded by Commissioner Martinez to recommend a continuance until June 16, 2009.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray

NAY: None

THE MOTION CARRIED

12. ZONING CASE NUMBER Z2009094 (Council District 5): A request for a change in zoning from "R-4" Residential Single-Family District and "I-1" General Industrial District to "C-2" Commercial District on Lots 42, 43, 44, 87 and 88, Block 9, NCB 3128 and Lot A-15, NCB 3852, 2701 South Presa Street. Staff recommends approval.

Lucy Peveto, representative, stated they have met with the neighborhood association and have agreed on deed restriction however, she is waiting for a response from the property owner regarding the deed restrictions.

Staff stated there were 30 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and no response from Roosevelt Park Neighborhood Association however, staff received a call from the neighborhood association expressing concerns with the "C-2" zoning request. Staff mailed 17 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner J. Valadez and seconded by Commissioner Hawkins to recommend a continuance until June 16, 2009.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray

NAY: None

THE MOTION CARRIED

13. ZONING CASE NUMBER Z2009097 (Council District 2): A request for a change in zoning from "R-5" Residential Single-Family District and "C-3" General Commercial District to "C-3" General Commercial District (15.124 acres) and "MF-33" Multi-Family District (12.116 acres) on 27.24 acres out of NCB 10675, NCB 10677, NCB 13143, and NCB 13144, 3860 IH 10 East. Staff recommends approval.

Ken Brown, representative, stated he would like to request a continuance to meet with the surrounding property owners.

The following citizen(s) appeared to speak:

Rev. Roland Benson, stated they are in support of the continuance.

Staff stated there were 42 notices mailed out to the surrounding property owners, 2 returned in opposition and 20 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Hawkins and seconded by Commissioner Martinez to recommend a continuance until June 16, 2009.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray
NAY: None

THE MOTION CARRIED

14. ZONING CASE NUMBER Z2009098 (Council District 2): A request for a change in zoning from "PUD R-6" Planned Unit Residential Single Family District to "MF-40" Multi-Family District on 4.281 acres out of Tract 16 and Tract 17, NCB 8694, 6400 North Vandiver Road. Staff recommends denial of "MF-40" with an alternate recommendation of "MF-25".

Patrick Christensen, representative, stated he would like to amend his request to "MF-25" as staff has recommended. He stated they are proposing multi-family development on the subject property.

The following citizen(s) appeared to speak:

Calvin Glover, spoke in favor.

Melissa Baird, spoke in favor.

Scott Fontenot, spoke in favor.

Julius Knight, spoke in opposition.

Janice Aull, spoke in opposition.

Garrett Nikolaus, spoke in opposition.

Beverly Monestier, spoke in opposition.

Roland Polanco, spoke in opposition.

Craig Blount, spoke in opposition.

Gary Short, spoke in opposition.

Judith Temple, spoke in opposition.

Jim Neil, spoke in opposition.

Staff stated there were 34 notices mailed out to the surrounding property owners, 4 returned in opposition and 1 returned in favor and no response from Wilshire Neighborhood Association. Staff mailed 60 notices to the planning team.

COMMISSION ACTION

The motion was made by Commissioner Hawkins and seconded by Commissioner Martinez to recommend approval of "MF-25".

Vice Chair Wright offered a friendly amendment to include that, the applicant petition the City for improving the opposite side of Vandiver.

Commissioner Hawkins and Commissioner Martinez accepted the friendly amendment.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray

NAY: None

THE MOTION CARRIED

15. ZONING CASE NUMBER Z2009102 (Council District 6): A request for a change in zoning from "R-4" Residential Single-Family District to "RM-4" Residential Mixed District on Lot 19, Lot 20, Lot 21 and Lot 22, Block 4, NCB 8539, 119 Moraima Street. Staff recommends approval.

Applicant/Representative not present.

The following citizen(s) appeared to speak:

Olivia Castillo, spoke in opposition.

Staff stated there were 15 notices mailed out to the surrounding property owners, 0 returned in opposition and 4 returned in favor and no response from Los Jardines Neighborhood Association. Staff received a call from a property owner within the 200-foot radius expressing opposition.

COMMISSION ACTION

The motion was made by Commissioner Martinez and seconded by Commissioner Hawkins to recommend denial.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez

NAY: None

ABSTAIN: Gray

THE MOTION CARRIED

16. ZONING CASE NUMBER Z2009103 H (Council District 1): A request for a change in zoning from "R-4" Residential Single-Family District to "H R-4" Residential Single-Family, Los Angeles Heights/Keystone Historic District on Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Block 64, NCB 2758; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 65, NCB 2759; All of NCB 2762; All of NCB 2763; Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Block 71, NCB 2766 and Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, Block 72, NCB 2767, 1400 Block and 1500 Block (both sides) of West Rosewood Avenue and 1400 Block and 1500 Block (both sides) of West Lynwood Avenue. Staff recommends approval.

Sharon Wasielewski, Historic Preservation Officer, presented item.

The following citizen(s) appeared to speak:

Joanna Parrish, representing San Antonio Conservation Society, spoke in favor.

Susan Essex, spoke in favor and would like to request their Neighborhood Association name be changed to Keystone.

Dwayne Greene, spoke in favor.

Charlotte Kahl, spoke in favor.

Clem Perez, spoke in favor.

Patricia Doria, spoke in favor.

Nancy Clark, spoke in opposition.

Ken Respondek, spoke in opposition.

Staff stated there were 258 notices mailed out to the surrounding property owners, 4 returned in opposition and 10 returned in favor and Los Angeles Heights – Keystone Neighborhood Association is in favor. Staff mailed 33 notices to the planning team.

COMMISSION ACTION

The motion was made by Commissioner Westheimer and seconded by Commissioner Hawkins to recommend approval and approval of neighborhood name change to Keystone.

AYES: Wright, McFarland, J. Valadez, Westheimer, Hawkins, Martinez, Gray

NAY: None

THE MOTION CARRIED

Commissioner Hawkins left at 4:14 pm

17. Consideration and recommendation on proposed amendments to the Unified Development Code (UDC) related to Section 35-357 "FBZD" Form Based Zoning District.

Richard Milk, presented item.

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Westheimer to recommend a continuance until June 16, 2009.

AYES: Wright, McFarland, J. Valadez, Westheimer, Martinez, Gray

NAY: None

THE MOTION CARRIED

18. ADJOURNMENT

There being no further business, the meeting was adjourned at 4:19 p.m.

APPROVED:



Don Gadberry, Chairman

ATTEST:


Executive Secretary